



OPEN REPORT ANNUAL COUNCIL

Annual Council – 23 May 2024

MEMBERSHIP OF POLITICAL GROUPS, POLITICAL BALANCE AND ENTITLEMENT TO SEATS ON COMMITTEES

Report of Director of Corporate and Customer Services & Monitoring Officer

Report Author and Contact Details

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Wards Affected

District wide

Report Summary

To report on the updated membership of political groups on the Council, and the changes to the political balance of the authority following the district by-elections held on 22 February 2024 and the new entitlement of political groups to seats on committees for the 2024/25 municipal year.

Recommendations

1. That the operation of four political groups on the Council and the detail of their designated Leaders be noted:
 - (a) Conservative Group – Councillor Susan Hobson
 - (b) Green Party Group – Councillor Neil Buttle
 - (c) Labour and Councillor O'Brien Group – Councillor Bob Butcher
 - (d) Liberal Democrat Group – Councillor Steve Flitter
2. That special responsibility allowances be paid in accordance with the Members Allowances Scheme at Part 6 of the Constitution.
3. That the Council notes, and agrees, the entitlement of the membership of the political groups and that such entitlements have been reflected in the allocations to Committees.
4. That Council considers nominations and appoints Members to serve on the:
 - (a) Joint ICT Committee
 - (b) D2 Strategic Leadership Board.
5. That Council appoints Members to serve on Working Groups for the following purposes:

- (a) Constitution Working Group (6 Members)
- (b) Climate Change Working Group (6 Members)
- (c) Gypsy and Traveller Working Group (4 Members)
- (d) Biodiversity Working Group (6 Members)
- (e) Car Park Working Group (6 Members)
- (f) Waste and Recycling Working Group (4 Members)

List of Appendices

None

Background Papers

None

Consideration of report by Council or other committee

No

Council Approval Required

Yes

Exempt from Press or Public

No

Membership of Political Groups, Political Balance and Entitlement to Seats on Committees

1. Background

- 1.1 The Proper Officer is required to notify the Council of any change in the political balance of the authority or the operation of new political groups under the Local Government (Committees and Political Groups) Regulations 1990.
- 1.2 Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include
- (a) That the number of seats on ordinary Committees/Bodies which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the Members of that group to the membership of the Authority (i.e. the allocation of the total number of seats available must mirror the political composition of the council).
 - (b) That the number of seats on the Body (Committee, etc.), which are allocated to each political group, bears the same proportion to the number of all the seats on that Body as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of seats on individual committees must mirror the political composition of the council).
- 1.3 Local authorities are able to depart from the statutory provisions where there is unanimous agreement to do so.

2. Political Groups

- 2.1 The Proper Officer has received formal notifications, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of the composition of four political groups in operation on the Council. These are:

Name of Group	Designated Leader	Number of Members
Conservative	Councillor Hobson	10
Green Party	Councillor Buttle	4
Labour and Councillor O'Brien	Councillor Butcher	8
Liberal Democrat	Councillor Flitter	12

- 2.2 All 34 councillors are a member of a political group.

3. Entitlement to Seats

- 3.1 Following discussion with all political groups is therefore recommended that the following committee sizes be adopted for the 2023-24 municipal year, with the inclusion of new bodies for this new term of the Council:

Committees	Membership
Governance and Resources	11
Community and Environment	17
Planning	15
Scrutiny	9
Licensing and Appeals	14
Joint Consultative	6
Local Plan Sub-Committee	10
TOTALS	82

3.2 The allocation process must be applied 'so far as is reasonably practicable' to achieve a balanced outcome. The allocation of seats to the four political groups is determined by the following formula:

$$\frac{\text{Number of Members in a political group}}{\text{Total Number of Members of the Council (34)}} \times \text{Number of Seats to be allocated}$$

3.3 For the 82 seats available in applying principle (a) in paragraph 1.2, this gives:

Political Group	Seat Entitlement
Liberal Democrat	29
Conservative	24
Labour and Councillor O'Brien	19
Green Party	10

3.4 Application of principle (b) in paragraph 3.2 of this report, relating to the number of seats on individual committees, gives the following:

	Membership	Liberal Democrat Group (12)	Conservative Group (10)	Labour and Cllr O'Brien Group (8)	Green Party Group (4)
Committees					
Governance and Resources	11	4	3	3	1
Community and Environment	17	6	5	4	2
Planning	15	5	4	4	2
Scrutiny	9	3	3	2	1
Licensing and Appeals	14	5	4	3	2
Joint Consultative	6	2	2	1	1
Local Plan Sub-Committee	10	4	3	2	1
TOTALS	82	29	24	19	10

3.5 This calculation enables every political group to take up a proportion of the seats on committees that matches their overall entitlement.

3.6 The Ernest Bailey Charity Committee is comprised of Members representing the wards relevant to the charity and is not subject to the requirements of political balance.

- 3.7 The Council will be invited to elect Chairs and Vice-Chairs of committees at a later point on this agenda for the following:

Committee/ Decision Making Body	Chair	Vice-Chair
Community & Environment		
Governance & Resources		
Scrutiny		
Planning		
Licensing & Appeals		
Joint Consultative Group	To be appointed at first meeting	To be appointed at first meeting
Ernest Bailey Charity		
Local Plan Sub-Committee	To be appointed at first meeting	To be appointed at first meeting

4. Joint Committees

- 4.1 The District Council is a member of various Joint Committees in respect of matters or functions that affect the authority or the area of the Derbyshire Dales.

- 4.2 The Joint ICT Committee was established with representation from the three local authorities in the partnership for the delivery of ICT support services (Bolsover DC, North East Derbyshire DC and Derbyshire Dales DC). The Joint Committee exists for Members to provide oversight of the governance of the partnership arrangements and ensuring that a high standard of service delivery is matched with good value for money. The authority has three seats on this joint committee with the following seat entitlement.

Liberal Democrat	1 Member	David Hughes
Conservative	1 Member	David Chapman
Labour and Councillor O'Brien	1 Member	Andy Nash

- 4.3 The D2 Strategic Leadership Board has recently been established and replaces the Vision Derbyshire Joint Committee and the D2 Economic Prosperity Committee. The purpose of the SLB is to provide collective leadership for Derbyshire, allowing authorities to speak with a single, shared voice on matters of common concern at the county, regional and national level. It is also intended to facilitate collaboration as partners to develop joined-up approaches to the complex, connected and challenging agendas where our councils share common interests; progressing shared ambitions for the people and places of Derbyshire and making decisions together to improve services and co-ordinate resources better and more sustainably.
- 4.4 The D2 SLB is envisaged as being a platform to collectively discuss, seek agreement and align D2 councils' positions on EMCCA business where there are shared interests. This should provide a sounding board for Derbyshire's representatives on the EMCCA Board to discuss and

understand councils' individual and collective views and priorities related to that business.

- 4.5 As with its predecessors, and as per the agreement reached at Council on 25 January 2024, the Leader of the Council is the Council's nominated representative and the substitute is to be the Deputy Leader, the Leader of the Labour Group. It is recommended that this practice is continued in the 2024/25 municipal year.

5. Working Groups

- 5.1 The Council has previously appointed Members to serve on a variety of working groups to support the Council's priority policy objectives or good governance. This practice has been successful previously and it is recommended that this continues in this new municipal year. In this civic year it is proposed that Biodiversity Sub-Committee becomes a Working Group over which the Community and Environment Committee has oversight of its activities and terms of reference.

- 5.2 A list of active working groups and entitlement to seats is noted here. The nominations to those groups will be considered elsewhere on the agenda.

Biodiversity Working Group – 6 Members

Liberal Democrats	Conservative	Labour and Cllr O'Brien	Green
2	2	1	1

Constitution Working Group – 6 Members

Liberal Democrats	Conservative	Labour and Cllr O'Brien	Green
2	2	1	1

Climate Change Working Group – 6 Members

Liberal Democrats	Conservative	Labour and Cllr O'Brien	Green
2	2	1	1

Car Park Review Working Group – 6 Members

Liberal Democrats	Conservative	Labour and Cllr O'Brien	Green
2	2	1	1

Waste and Recycling Working Group – 4 Members

Liberal Democrats	Conservative	Labour and Cllr O'Brien	Green
1	1	1	1

Liberal Democrats	Conservative	Labour and Cllr O'Brien	Green
1	1	1	1

6. Consultation

- 6.1 Consultation has taken place with political group leaders in the preparation of this report.

7. Timetable for Implementation

- 7.1 The respective political groups have been advised of their seat entitlements on committees and sub-committees and have been requested to provide nominations to the Proper Officer in order to report proposed appointments for the available seats ahead of this meeting.

8. Policy Implications

- 8.1 The strategic leadership provided by Councillors in discharging the functions of the Council through committees and other bodies is critical to the delivery of all priorities in the Corporate Plan.

9. Financial and Resource Implications

- 9.1 There are no financial implications associated with this report as written and the financial risk is assessed as low.
- 9.2 Should the Council determine to vary its political structures that potentially impact on the overall cost of the Members Allowances Scheme, it is recommended that Members ask Independent Remuneration Panel to revisit the scheme and consider whether amendments should be recommended to the Council.

10. Legal Advice and Implications

- 10.1 The legislative requirements in respect of political balance and entitlement to seats are set out earlier in this report. The recommended approach will reduce the legal risk to the authority and on this basis, the legal risks associated with this report are considered to be low.

11. Equalities Implications

- 11.1 Whilst the Council should have regard to the Public Sector Equality Duty when discharging any of its functions, there are no direct equalities implications associated with this report.

12. Climate Change Implications

- 12.1 There are no climate change or biodiversity implications directly associated with this report.

11. Risk Management

- 11.1 By having regard to the detail of the report above in respect of meeting statutory requirements, any risk implications will have been mitigated. Therefore, there are no risks to be borne in mind in respect of the recommendations.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	15/05/2024
Director of Resources/ S.151 Officer	Karen Henriksen	15/05/2024
Monitoring Officer (or Legal Services Manager)	Helen Mitchell	15/05/2024